

PROBE OF JUDGE SOUGHT BY BAR

T-P 9/19/67
Attorney General Takes
Request Under Study

Attorney General Jack P. F. Gremillion said Monday he is preparing a letter of response to a request that New Orleans Criminal District Judge Malcolm V. O'Hara be investigated.

The request was made in a resolution by the New Orleans Bar Association, which cited testimony made by O'Hara in Chicago in which the judge said he was a messenger for a convicted criminal in an alleged effort to win freedom for Teamsters Union boss James Hoffa.

Charles J. McCabe, president of the bar association, made the request for the probe under Article 9, Sect. 5 of the Louisiana Constitution.

Gremillion said he has taken the request under study and will write the bar association for more information on the resolution and for any evidence it may have.

The attorney general may initiate the investigation at his own discretion, but must do so if 25 or more citizens, the governor or half of the members of the bar in the judge's district request him to, according to the Constitution.

Under Sect. 1 of Article 9, the causes for removal of a judge are stated as follows:

"All state and district officers, whether elected or appointed shall be liable to impeachment for high crimes and misdemeanors in office, incompetency, corruption, fa-

voritism, extortion or oppression in office or for gross misconduct or habitual drunkenness.

Judge O'Hara testified in a Chicago court that he was a companion of Zachary Strate, convicted criminal, and had some of his expenses paid by Strate.

The court hearing was a move by attorneys for Hoffa to upset his conviction and prison sentence, claiming illegal wiretap evidence was used against him.

The procedure for investigating a judge would follow in this manner:

A printed petition for the investigation would have to be presented to the State Supreme Court, which would appoint an examiner to conduct a hearing. The examiner would hold a hearing much like a jury trial, with the defendant represented by counsel.

The examiner would make a recommendation to the Supreme Court, which also would hear arguments by opposing sides and then vote on the removal petition. The attorney general would represent the state.

The New Orleans Metropolitan Crime Commission had earlier asked Gov. John J. McKeithen to request Gremillion to investigate O'Hara, but the governor said the MCC could collect 25 names and achieve the same purpose.